

**Introduced by Senator Aanestad**

February 17, 2009

---

An act to add Section 14673.9 to the Government Code, relating to state property.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 178, as introduced, Aanestad. State property: Department of Forestry and Fire Protection.

Existing law authorizes the Director of General Services to acquire and convey real property for the state, whenever that transfer of the real property is authorized or contemplated by law.

This bill would authorize the director to sell, lease, exchange, or any combination thereof, approximately 3 acres of real property in the City of Redding, currently used by the Department of Forestry and Fire Protection as its Shasta-Trinity Unit Headquarters, that is specifically declared not to be surplus to the needs of the state. The bill would require the director to initially offer the real property for disposition to the City of Redding. The bill would authorize the director to offer the real property to the public through a competitive selection process determined by the director to be in the best interest of the state, if the City of Redding is unable to enter an agreement for the disposition of the real property. The bill would also authorize the director to enter into one or more agreements or leases for the purpose of providing a substitute location for the Shasta-Trinity Unit Headquarters on or near the Redding Airport. The bill would provide that any use or redevelopment of the real property awarded to a nongovernmental entity not involving the exercise of sovereign activities of the state or another government agency would be subject to the zoning and building code regulations of the City of Redding.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 14673.9 is added to the Government  
2 Code, to read:  
3 14673.9. (a) The Legislature finds and declares all of the  
4 following:  
5 (1) The state owns approximately three acres of real property  
6 located at 875 Cypress Avenue in the City of Redding, currently  
7 used by the Department of Forestry and Fire Protection as its  
8 Shasta-Trinity Unit Headquarters.  
9 (2) For purposes of this section, the real property described in  
10 paragraph (1) shall be referred to as the “Cypress Property.”  
11 (3) The Shasta-Trinity Unit of the department has outgrown the  
12 deteriorating facilities on the Cypress Property.  
13 (4) The department has other operations on and near the Redding  
14 Airport, and relocating, consolidating, and expanding the operations  
15 of the Shasta-Trinity Unit on or near that single location will  
16 facilitate and improve the efficiency of the department and better  
17 protect the health and safety of the residents of the state.  
18 (5) The Cypress Property may be sold, exchanged, leased, or  
19 any combination thereof.  
20 (6) The disposition of the Cypress Property authorized by this  
21 section does not constitute a sale or other disposition of surplus  
22 state property within the meaning of Section 9 of Article III of the  
23 California Constitution or subdivision (g) of Section 11011.  
24 (b) The Director of General Services may sell, exchange, lease,  
25 or any combination thereof, all or a portion of the Cypress Property.  
26 (c) The director shall initially offer the Cypress Property for  
27 disposition, pursuant to the authorization described in subdivision  
28 (b), to the City of Redding. If the City of Redding is unable to  
29 enter into an agreement for the disposition of the Cypress Property,  
30 the director may offer the Cypress Property for disposition, as  
31 described in subdivision (b), to the public through a competitive  
32 selection process determined by the director to be in the best  
33 interest of the state.  
34 (d) Any exchange, lease, or sale of properties carried out  
35 pursuant to this section shall be for no less than fair market value,

1 as determined by an independent appraisal or pursuant to a  
2 competitive selection process. Compensation for the Cypress  
3 Property may include land, or a combination of land,  
4 improvements, and money.

5 (e) The Department of General Services shall be reimbursed  
6 for any reasonable cost or expense for the transactions described  
7 in this section from the proceeds of the sale, lease, exchange, or  
8 combination thereof of the Cypress Property.

9 (f) For purposes of this section, the Cypress Property shall not  
10 be subject to the provisions of Section 11011.1 or Article 8  
11 (commencing with Section 54220) of Chapter 5 of Part 1 of  
12 Division 2 of Title 5.

13 (g) (1) The director may enter into one or more agreements or  
14 leases for the purpose of providing a substitute location for the  
15 Shasta-Trinity Unit Headquarters on or near the Redding Airport  
16 in order to consolidate or expand the operations of the  
17 Shasta-Trinity Unit of the Department of Forestry and Fire  
18 Protection.

19 (2) Upon appropriation by the Legislature, the director shall use  
20 the proceeds of any sale, exchange, lease, or combination thereof  
21 made pursuant to subdivision (b) to relocate, consolidate, or expand  
22 the operations of the Shasta-Trinity Unit of the Department of  
23 Forestry and Fire Protection, on or near the Redding Airport.

24 (h) (1) Notwithstanding Section 14669, if the City of Redding  
25 fails to enter into an agreement for the disposition of the Cypress  
26 Property, the Department of General Services shall advertise the  
27 availability of the Cypress Property and award the sale, lease,  
28 exchange, or any combination thereof, all or a portion of the  
29 Cypress Property to the proposer offering to provide a building or  
30 buildings that meet the state's requirements if the director  
31 determines that the sale, lease, exchange, or any combination  
32 thereof to be in the best interest of the state. The director may also  
33 lease all or part of the Cypress Property for a period not to exceed  
34 66 years.

35 (2) Any use or redevelopment of the Cypress Property awarded  
36 to a nongovernmental entity pursuant to this section and not  
37 involving the exercise of sovereign activities of the state or another  
38 government agency shall be subject to the zoning and building  
39 code regulations of the City of Redding.

1 (i) The Department of General Services shall develop the terms  
2 and conditions of any disposition agreement regarding the Cypress  
3 Property, and provide them to the Department of Finance for  
4 review prior to soliciting bids. The Department of General Services  
5 shall obtain approval from the Department of Finance prior to the  
6 execution of any disposition agreement regarding the Cypress  
7 Property.

O